

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

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3 UNITED STATES OF AMERICA,

4 v.

20 Cr. 661 (CM)

5 AMIR ELMANNI,

6 Defendant.

Conference

7 -----x

8 New York, N.Y.  
9 September 28, 2022  
2:15 p.m.

10 Before:

11 HON. COLLEEN MCMAHON,

12  
13 District Judge

14 APPEARANCES

15 DAMIAN WILLIAMS

16 United States Attorney for the  
17 Southern District of New York

BY: MARGARET S. GRAHAM

17 DREW SKINNER

Assistant United States Attorneys

18 SPODEK LAW GROUP PC

19 Attorneys for Defendant

BY: TODD A. SPODEK

20  
21 Also Present:

Joaquin Sequeira, IRS Special Agent

22 Chris Youn, FBI Special Agent

1 (Case called)

2 THE COURT: Appearances, please.

3 MS. GRAHAM: Good afternoon, your Honor. AUSAs

4 Margaret Graham and Drew Skinner for the government, joined at  
5 counsel table by IRS Special Agent Joaquin Sequeira and FBI  
6 Special Agent Chris Youn.

7 THE COURT: Hi, everybody.

8 MR. SPODEK: Good afternoon, your Honor. Todd Spodek.  
9 And to my left is Mr. Elmanni.

10 THE COURT: Okay. Let's have a seat, and let's have a  
11 chat.

12 What is going on, folks? What is going on? Why can I  
13 not move this case?

14 MS. GRAHAM: Yes, your Honor. We were last before  
15 your Honor on January 27, 2022. Since then, we set a date for  
16 pretrial motions. None were filed.

17 At this point, what we'd like to do -- and we've  
18 spoken with defense counsel about this prior to the conference.  
19 We're in agreement. We would ask that your Honor set a trial  
20 date for anywhere in the March to September of 2023 range. We  
21 estimate the government's case in chief would take  
22 approximately two weeks.

23 THE COURT: Two weeks?

24 MS. GRAHAM: It's a conservative estimate, your Honor.  
25 We feel that it's always best in a one- to two-week case to

1 reserve two weeks just in case.

2 THE COURT: I feel it's always best to go low.

3 MS. GRAHAM: Yes, your Honor.

4 THE COURT: Okay. Is that what's acceptable at the  
5 back table?

6 MR. SPODEK: Yes, Judge. I've spoken with counsel,  
7 and we're amenable to that schedule as well.

8 THE COURT: Hang on a second because I don't have a  
9 2023 calendar unfortunately.

10 (Pause)

11 THE COURT: March 6 we have a two-week trial. We need  
12 to figure out religious holidays.

13 Why don't we say that we will do this trial on the  
14 17th of April.

15 MR. SPODEK: That's fine for the defense, Judge.

16 MS. GRAHAM: One moment, your Honor.

17 (Discussion off the record)

18 MS. GRAHAM: That's fine for the government, your  
19 Honor. Thank you.

20 THE COURT: That's your trial date, April 17. I  
21 assume, because this is an application that is made by both  
22 parties on consent, there is consent to the exclusion of time  
23 until April 17?

24 MR. SPODEK: Yes, your Honor.

25 THE COURT: Thank you. Then time excluded until

1 April 17.

2           So let's move backward. Now that I have this lovely  
3 calendar to look at, we will have a final pretrial conference  
4 in this matter on Wednesday, April 5 at 10:00, 10:00 a.m. on  
5 Wednesday, April 5.

6           So the government has to make 404(b) disclosure and  
7 file motions in limine by March 3. Defense motions in limine  
8 are due March 10. Response to the government's motion in  
9 limine and response to the defense motion by March 24. I don't  
10 take replies on motions in limine. I will expect to have 3500  
11 material and *Giglio* disclosed no later than March 24. And I  
12 think that moves us back far enough.

13           MS. GRAHAM: Yes, your Honor. Thank you. Nothing  
14 further from the government.

15           MR. SPODEK: Thank you, Judge. Nothing further.

16           THE COURT: All right. I'm glad we were able to do  
17 that. So I will see you on the 5th of April.

18           MR. SPODEK: Thank you, Judge.

19           THE COURT: Thank you.

20           (Adjourned)  
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